1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8	In the Matter of the Educator) DEFAULT ORDER OF License of) REVOCATION OF TAMERA JEAN KRONBERG) LICENSURE
9	On February 29, 2016, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Tamera Jean Kronberg
11	(Kronberg) in which the Commission charged her with Gross Neglect of Duty. The Notice
12	was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539
13	8148 to the address on file with the Commission. The Notice designated the Commission file
14	as the record for purposes of proving a prima facie case. The Certified Mail was returned
15	"Signed" to the Commission on March 4, 2016. The first class mail was not returned to the
16	Commission. The Notice of Opportunity of Hearing, dated February 29, 2016, and signed by
17	Victoria Chamberlain, then Executive Director, stated:
18 19 20 21 22 23 24 25	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
26	On March 2, 2016, Kronberg requested a hearing. On April 22, 2016, a pre-hearing
27	conference was conducted and a hearing date of November 1 and 2, 2016 was set. On
28	September 22, 2016, through Kronberg's attorney, Kronberg withdrew her request for a
29	hearing. The Commission, therefore, finds Kronberg to be in default and enters the
30	following findings of fact, conclusions of law, and final order, based on the files and records
31	of the Commission concerning this matter.
32	FINDINGS OF FACT
33	1. Tamera Jean Kronberg has been licensed by the Commission since September 5,
34	1984. Kronberg's Standard Teaching License, with an endorsement in Standard
35	Exceptional Learner II (018), is valid from February 24, 2014, through February 23,
36	2019. During all relevant times, Kronberg was employed by the Clackamas
37	Education Service District (CESD).

- 2. On April 3, 2014, the Commission received a report from CESD indicating Kronberg
 had committed acts of unprofessional conduct in the area of unnecessary physical
 force with students. Investigations by the Commission and school officials identified
 the following unprofessional conduct:
 - a. On or about February 13, 2014, witnesses reported observing Kronberg redirect a seven-year-old student, with severe cognitive disabilities, by an unapproved and unnecessary restraint method. Witnesses described Kronberg to place her hands on the sides of the student's head, below the ears, and lift him approximately one foot off the ground and then carry him by his head approximately four feet across the room. CESD indicates that Kronberg's employed method appeared dangerous and is not an approved restraint method. CESD reported Kronberg's actions to authorities as a possible child abuse incident.
 - b. In the course of the CESD investigation into the events of February 13, 2014, officials learned of another inappropriate restraint incident. Educational assistants reported observing Kronberg, just days prior to the February 13, 2014, event, wrapping / folding the same student into a mat and applying pressure to the mat. Witnesses described Kronberg as sitting on the mat while the student was held inside. CESD indicates that this restraint method is not an approved method and could be dangerous to the student. During the interview process, Kronberg admitted that using the mat in this manner was not part of her training.
- 23 3. On March 5, 2014, Kronberg resigned her employment with CESD effective June 6,
 24 2014, and Kronberg remained on administrative leave until that date.
- 25 4. Reports indicate that the child abuse report regarding Kronberg's conduct was closed on intake and no related action was taken by DHS.

```
27 ///
28 ///
29 ///
30 ///
```

///

I	CONCLUSIONS OF LAW
2	Tamera Kronberg's conduct described in sections 2 (a) and (b) above, constitutes
3	gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4	incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-
5	0025(2)(e) (Using district lawful and reasonable rules and regulations); and OAR 584-
6	020-0040(4)(d) (<i>Unreasonable physical force against students, fellow employees, or</i>
7	visitors to the school, except as permitted under ORS 339.250).
8	
9	The Commission's authority to impose discipline in this matter is based upon ORS
10	342.175.
11	FINAL ORDER
12	The Commission hereby revokes Tamera Jean Kronberg's Oregon educator license.
13	IT IS SO ORDERED THIS 4 day of October, 2016.
14	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Morica Glane Dr. Monica Beane, Executive Director
15 16	By:
17	
18 19	NOTICE OF APPEAL OR RIGHTS
20 21 22 23	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Tamera Jean Kronberg PO Box 423 Colton, OR 97017-0423

Dated this ______day of October, 2016.

Patty Speldon

Investigative Assistant

1 2 3	BEFORE THE TEACHER STANDARDS AND PRACTICES COMMISSION OF THE STATE OF OREGON
5 6 7 8	In the Matter of the Educator) DEFAULT ORDER OF License of) REVOCATION OF TAMERA JEAN KRONBERG) LICENSURE
9	On February 29, 2016, the Teacher Standards and Practices Commission
10	(Commission) issued a Notice of Opportunity for Hearing to Tamera Jean Kronberg
11	(Kronberg) in which the Commission charged her with Gross Neglect of Duty. The Notice
12	was sent via U.S. First Class Mail and U.S. Certified Mail Receipt 7015 0640 0004 7539
13	8148 to the address on file with the Commission. The Notice designated the Commission file
14	as the record for purposes of proving a prima facie case. The Certified Mail was returned
15	"Signed" to the Commission on March 4, 2016. The first class mail was not returned to the
16	Commission. The Notice of Opportunity of Hearing, dated February 29, 2016, and signed by
17	Victoria Chamberlain, then Executive Director, stated:
18 19 20 21 22 23 24 25	"IF A REQUEST FOR HEARING IS NOT RECEIVED WITHIN THIS 21-DAY PERIOD, YOUR RIGHT TO A HEARING SHALL BE CONSIDERED WAIVED UNLESS YOUR FAILURE TO REQUEST A HEARING WAS BEYOND YOUR REASONABLE CONTROL. IF YOU DO NOT REQUEST A HEARING OR IF YOU FAIL TO APPEAR AT A HEARING, THE COMMISSION WILL ADOPT AN ORDER OF DEFAULT WHICH MAY INCLUDE THE REVOCATION OR SUSPENSION OF YOUR LICENSE OR OTHER DISCIPLINE."
26	On March 2, 2016, Kronberg requested a hearing. On April 22, 2016, a pre-hearing
27	conference was conducted and a hearing date of November 1 and 2, 2016 was set. On
28	September 22, 2016, through Kronberg's attorney, Kronberg withdrew her request for a
29	hearing. The Commission, therefore, finds Kronberg to be in default and enters the
30	following findings of fact, conclusions of law, and final order, based on the files and records
31	of the Commission concerning this matter.
32	FINDINGS OF FACT
33	1. Tamera Jean Kronberg has been licensed by the Commission since September 5,
34	1984. Kronberg's Standard Teaching License, with an endorsement in Standard
35	Exceptional Learner II (018), is valid from February 24, 2014, through February 23,
36	2019. During all relevant times, Kronberg was employed by the Clackamas
37	Education Service District (CESD).

- 2. On April 3, 2014, the Commission received a report from CESD indicating Kronberg
 had committed acts of unprofessional conduct in the area of unnecessary physical
 force with students. Investigations by the Commission and school officials identified
 the following unprofessional conduct:
 - a. On or about February 13, 2014, witnesses reported observing Kronberg redirect a seven-year-old student, with severe cognitive disabilities, by an unapproved and unnecessary restraint method. Witnesses described Kronberg to place her hands on the sides of the student's head, below the ears, and lift him approximately one foot off the ground and then carry him by his head approximately four feet across the room. CESD indicates that Kronberg's employed method appeared dangerous and is not an approved restraint method. CESD reported Kronberg's actions to authorities as a possible child abuse incident.
 - b. In the course of the CESD investigation into the events of February 13, 2014, officials learned of another inappropriate restraint incident. Educational assistants reported observing Kronberg, just days prior to the February 13, 2014, event, wrapping / folding the same student into a mat and applying pressure to the mat. Witnesses described Kronberg as sitting on the mat while the student was held inside. CESD indicates that this restraint method is not an approved method and could be dangerous to the student. During the interview process, Kronberg admitted that using the mat in this manner was not part of her training.
- 23 3. On March 5, 2014, Kronberg resigned her employment with CESD effective June 6,
 24 2014, and Kronberg remained on administrative leave until that date.
- 25 4. Reports indicate that the child abuse report regarding Kronberg's conduct was closed on intake and no related action was taken by DHS.

```
27 ///
28 ///
29 ///
30 ///
```

///

I	CONCLUSIONS OF LAW
2	Tamera Kronberg's conduct described in sections 2 (a) and (b) above, constitutes
3	gross neglect of duty in violation of ORS 342.175(1)(b); OAR 584-020-0040(4)(n) as it
4	incorporates OAR 584-020-0010(5) (Use professional judgment), OAR 584-020-
5	0025(2)(e) (Using district lawful and reasonable rules and regulations); and OAR 584-
6	020-0040(4)(d) (<i>Unreasonable physical force against students, fellow employees, or</i>
7	visitors to the school, except as permitted under ORS 339.250).
8	
9	The Commission's authority to impose discipline in this matter is based upon ORS
10	342.175.
11	FINAL ORDER
12	The Commission hereby revokes Tamera Jean Kronberg's Oregon educator license.
13	IT IS SO ORDERED THIS 4 day of October, 2016.
14	TEACHER STANDARDS AND PRACTICES COMMISSION
	By: Morica Glane Dr. Monica Beane, Executive Director
15 16	By:
17	
18 19	NOTICE OF APPEAL OR RIGHTS
20 21 22 23	YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER. JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing notice of final order, certified by me as such, by mailing U.S. First Class Mail and U.S. Certified Mail—Return Receipt Requested, addressed to:

Tamera Jean Kronberg PO Box 423 Colton, OR 97017-0423

Dated this ______day of October, 2016.

Patty Speldon

Investigative Assistant